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PART II—Section 2

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NEW DELHI, MONDAY, JULY 21, 1969/ASADHA 30, 1891

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह प्रलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 21st July, 1969:—

BILL NO 47 OF 1969

A Bill further to amend the Oilfields (Regulation and Development) Act, 1948.

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Oilfields (Regulation and Development) Amendment Act, 1969.

5 (2) It shall be deemed to have come into force on the 1st day of January, 1968.

83 of 1948. 2. In sub-section (2) of section 6 of the Oilfields (Regulation and Development) Act, 1948 (hereinafter referred to as the principal Act), for clause (i), the following clause shall be substituted, namely:—

10 “(i) the collection of royalties, and the levy and collection of fees or taxes, in respect of mineral oils mined, quarried, excavated or collected;”.

3. After section 6 of the principal Act, the following section shall be inserted, namely:—

15 “6A. (1) The holder of a mining lease granted before the commencement of the Oilfields (Regulation and Development) Amend-

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ment Act, 1969, shall, notwithstanding anything contained in the instrument of lease or in any law in force at such commencement, pay royalty in respect of any mineral oil mined, quarried, excavated or collected by him from the leased area after such commencement, at the rate for the time being specified in the Schedule in respect of that mineral oil.

(2) The holder of a mining lease granted on or after the commencement of the Oilfields (Regulation and Development) Amendment Act, 1969, shall pay royalty in respect of any mineral oil mined, quarried, excavated or collected by him from the leased area at the rate for the time being specified in the Schedule in respect of that mineral oil.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (2), no royalty shall be payable in respect of any crude oil, casing-head condensate or natural gas which is unavoidably lost or is returned to the reservoir or is used for drilling or other operations relating to the production of petroleum, or natural gas, or both.

(4) The Central Government may, by notification in the Official Gazette, amend the Schedule so as to enhance or reduce the rate at which royalty shall be payable in respect of any mineral oil with effect from such date as may be specified in the notification:

Provided that the Central Government shall not—

(a) fix the rate of royalty in respect of any mineral oil so as to exceed twenty per cent. of the sale price of the mineral oil at the oilfields or the oil well-head, as the case may be, or

(b) enhance the rate of royalty in respect of any mineral oil more than once during any period of four years.”.

Insertion of
new
Schedule.

4. After section 14 of the principal Act, the following Schedule shall be inserted, namely:—

“THE SCHEDULE

30

(See section 6A)

RATES OF ROYALTY

1. Crude oil: Rupees ten per metric tonne.
2. Casing-head condensate: Rupees ten per metric tonne.
3. Natural gas: Ten per cent. of the value of the natural gas obtained at well-head.”.

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SECRETARY
GOVERNMENT OF INDIA

STATEMENT OF OBJECTS AND REASONS

Sections 5 and 6 of the Oilfields (Regulation and Development) Act, 1948 (53 of 1948) empower the Central Government to make rules for regulating the grant of mining leases and for prohibiting the grant of such leases in respect of any mineral oil as also for the development of mineral oil resources. Clause (i) of sub-section 2 of section 6 of the Act empowers the Central Government to make rules for "the levy and collection of royalties, fees or taxes in respect of mineral oils, mined, quarried, excavated or collected".

The Petroleum and Natural Gas Rules, 1959 were formulated in exercise of the powers conferred by sections 5 and 6 of the said Act. Rule 14 of the said Rules, *inter alia*, had stipulated that royalty at the rate of Rs. 7.50 per metric tonne of crude oil and casing-head condensate and at 10 per cent. of the value at the well-head of the natural gas obtained by the lessee, shall be paid.

The rate of royalty was decided upon by the award of the late Prime Minister in 1962. This award provided for a review of the rate of royalty after a period of four years. This was done and the Prime Minister has now given an award which provides for an increase in the rate of royalty payable for crude oil, etc. from Rs. 7.50 to Rs. 10.00 per metric tonne, with effect from 1st January, 1968. The enhanced rate has, therefore, to be applied not only to leases granted in future but also retrospectively to all leases with effect from 1st January, 1968. This object cannot be achieved by amending the Petroleum and Natural Gas Rules, 1959. It is necessary to make appropriate provisions in the Act itself for imposing a liability to pay enhanced rates of royalty in the existing leases also, notwithstanding anything contained in the instrument of the concerned lease. It is, accordingly, considered necessary to amend the Oilfields (Regulation and Development) Act, 1948 so as to make provisions for the payment of royalty in the Act itself and to take power to enhance the royalty by notification subject to limitations analogous to those contained in sub-section (3) of section 9 of the Mines and Minerals (Regulation and Development) Act, 1957.

The Bill is designed to give effect to the above proposals.

NEW DELHI;

TRIGUNA SEN.

The 26th April, 1969.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3 of the Bill seeks to insert a new section, namely section 6A, in the Oilfields (Regulation and Development) Act, 1948. Sub-section (4) of the proposed section 6A confers a power on the Central Government to enhance or reduce, by notification in the Official Gazette, the rates of royalty in respect of any mineral oil specified in the Schedule and that sub-section further empowers the Central Government to specify the date from which such enhanced or reduced rates of royalty shall be payable. The power proposed to be conferred by the said sub-section is, however, subject to the restrictions specified in the proviso thereto. It is not possible to specify the quantum of the increase or decrease of the rates of royalty in the Bill. The delegation of the legislative power is, therefore, of a normal character.

Bill No. 52 of 1969

A Bill further to amend the Salaries and Allowances of Members of Parliament Act, 1954.

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Salaries and Allowances of Members of Parliament (Amendment) Act, 1969.

**Short
title
and**

5 (2) This section and section 2 shall be deemed to have come into force on the 16th day of May, 1969 and the other provisions of this Act shall come into force at once.

**com-
mence-
ment.**

30 of 1954.

2. In the Salaries and Allowances of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act), in section 3, for the words
10 “thirty-one rupees”, the words “fifty-one rupees” shall be substituted.

**Amend-
ment of
section 3**

**Amend-
ment of
section 6.**

3. In section 6 of the principal Act, in the *Explanation* to sub-section (1), for the words "For the purposes of this sub-section", the words, brackets, figures and letter "For the purposes of this sub-section and sub-section (1) of section 6A" shall be substituted.

**Insertion of
new
section
6A.**

4. After section 6 of the principal Act, the following section shall be inserted, namely:—

Travel by
air.

"6A. (1) Without prejudice to the provisions of section 6, every member shall be entitled to travel by air from any place in India to any other place in India on payment of the difference between the air fare and the first class railway fare for the journey between the aforesaid places. 10

(2) Nothing in this section shall apply to a journey of the nature referred to in sub-section (1) of section 4 performed by a member."

STATEMENT OF OBJECTS AND REASONS

The object of the Bill is to amend the Salaries and Allowances of Members of Parliament Act, 1954, with a view to entitling the members of Parliament to draw daily allowance at an increased rate of fifty-one rupees for each day during any period of residence on duty instead of thirty-one rupees as admissible at present. The Bill also seeks to entitle the members to travel by air by paying the difference between the first class rail fare and the air fare.

The above two amendments are being made after considering the recommendations of the Joint Committee on Salary, Allowances and other Amenities to Members of Parliament as contained in its report presented to Lok Sabha on the 7th August, 1968.

NEW DELHI;
The 14th May, 1969.

K. RAGHURAMAIAH.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to enhance the rate of daily allowance payable to members of Parliament under section 3 of the Salaries and Allowances of Members of Parliament Act, 1954 from thirty-one rupees to fifty-one rupees per day. It is estimated that the financial effect on account of this increased daily allowance is likely to be Rs. 42.00 lakhs per year. Clause 4 of the Bill seeks to insert a new section 6A in the Act under which members of Parliament will be entitled to travel by air from any place in India to any other place in India on payment of the difference between the air fare and the first class railway fare for the journey between the aforesaid places. The financial effect on account of this facility cannot be estimated at present.

S. L. SHAKDHER,
Secretary.